

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKALBA VINEYARD AND WINERY; and GRAPES  
THE WINE COMPANY,

Plaintiffs,

-against-

NEW YORK STATE LIQUOR AUTHORITY;  
LILY FAN, in her official capacity as Chair of the  
New York State Liquor Authority; EDGAR DE  
LEON, in his official capacity as Commissioner of  
the New York State Liquor Authority,

Defendants.

**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 02/27/2024

23-CV-08108 (MMG)

**NOTICE OF**  
**REASSIGNMENT &**  
**ORDER**

MARGARET M. GARNETT, United States District Judge:

This case has been reassigned to the undersigned. Unless and until the Court orders otherwise, all prior orders, dates, and deadlines shall remain in effect notwithstanding the case's reassignment, **except as modified herein**.

On February 21, 2024, Judge Rakoff set a summary judgment briefing schedule in this matter, which ordered the parties to file opening motions on or before March 12, 2024, opposition papers by April 9, 2024, reply papers by April 19, 2024, and scheduled oral argument and the final pretrial conference for May 1, 2024 (*see* Feb. 21, 2024 ECF Minute Entry). The following day, this case was reassigned to the undersigned.

On February 26, 2024, in light of the reassignment, the parties submitted a joint letter requesting guidance on the schedule and procedures to apply to the upcoming summary judgment motions (*see* ECF 30). As the parties note in their letter, in non-jury cases such as this, the Court's Individual Rules & Practices state that the Court will generally not consider summary judgment motions absent good cause.

To that end, it is HEREBY ORDERED that all deadlines and scheduled appearances as set forth by Judge Rakoff on February 21, 2024 are adjourned *sine die*.

It is FURTHER ORDERED that any party wishing to move for summary judgment or partial summary judgment shall file a pre-motion letter by **Friday, March 8, 2024**, in accordance with the Court's Individual Rule II(B)(9). If the parties wish to file response letters, they shall be due by **Friday, March 15**.

Furthermore, the parties are HEREBY ORDERED to appear for a pre-motion conference on **Thursday, March 21 at 11:30 a.m.** The conference will be held in person in Courtroom 906 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York 10007.

In accordance with Rule I(B)(5) of the Court's Individual Rules, requests for extensions or adjournments may be made only by letter-motion filed on ECF. Unless counsel are notified that

the conference has been adjourned, it will be held as scheduled.

Dated: February 27, 2024  
New York, New York

SO ORDERED.



MARGARET M. GARNETT  
UNITED STATES DISTRICT JUDGE